

EXHIBIT A



COMMONWEALTH of VIRGINIA

POST OFFICE BOX 2452

Secretary of the Commonwealth

RICHMOND, VIRGINIA 23218-2452

NOTICE OF SERVICE OF PROCESS

VIP Transport East, Inc.
2703 Wardlow Road
Corona, CA 92882

6/16/2019

Olga M. Toledo

vs.

VIP Transport East, Inc.

Summons and Complaint


Dear Sir/Madam:

You are being served with the enclosed notice under section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process.

If you have any questions about the matter, PLEASE contact the CLERK of the enclosed/below mentioned court or any attorney of your choice. Our office does not accept payments on behalf of debts. The Secretary of the Commonwealth's ONLY responsibility is to mail the enclosed papers to you.

COURT:

Fairfax County Circuit Court
4110 Chain Bridge Road
Fairfax, VA 22030-4009

Service of Process Clerk 
Secretary of the Commonwealth's
Office

2019 06573

AFFIDAVIT FOR SERVICE OF PROCESS ON THE
SECRETARY OF THE COMMONWEALTH
 Commonwealth of Virginia VA. CODE §§ 8.01-301, -310, -329, -352, -353, -354

Case No.

Fairfax County

2019 MAY -9 PM 12:10

Circuit Court

OLGA M. TOLEDO

JOHN T. FREY VIP TRANSPORT EAST, INC.
 CLERK, CIRCUIT COURT
 FAIRFAX, VA 2703 Wardlow Road,
 Corona, California 92882

TO THE PERSON PREPARING THIS AFFIDAVIT: You must comply with the appropriate requirements listed on the back of this form.

Attachments: ☒ Summons and Complaint ☐ Notice
☐

I, the undersigned Affiant, state under oath that

☐ the above-named defendant ☒ VIP TRANSPORT EAST, INC.
 whose last known address is ☒ same as above ☐

- ☒ is a non-resident of the Commonwealth of Virginia or a foreign corporation and Virginia Code § 8.01-328.1(A) 3
 applies (see NON-RESIDENCE GROUNDS REQUIREMENT on page 2).
- ☐ is a person whom the party seeking service, after exercising due diligence, has been unable to locate (see DUE DILIGENCE REQUIREMENT ON BACK)

_____ is the hearing date and time on the attached process or notice (if applicable).

5/6/19
DATE

☐ PARTY ☒ PARTY'S ATTORNEY ☐ PARTY'S AGENT ☐ PARTY'S REGULAR AND BONA FIDE EMPLOYEE

State of Virginia ☐ City ☒ County of Fairfax

Acknowledged, subscribed and sworn to before me this day by Joseph T. Trapeni, Jr., Esq.
 PRINT NAME OF SIGNATORY

5/6/19
DATE

☐ CLERK ☐ MAGISTRATE ☒ NOTARY PUBLIC

Notary Registration No. 1187105 My commission expires: 11/30/2022

☐ Verification by the clerk of court of the date of filing of the certificate of compliance is requested. A self-addressed stamped envelope was provided to the clerk at the time of filing this Affidavit.

NOTARY PUBLIC
 REG. #7787705
 COMMONWEALTH OF VIRGINIA
 MY COMMISSION EXPIRES NOV. 30, 2022

NOTICE TO THE RECIPIENT from the Office of the Secretary of the Commonwealth of Virginia:

You are being served with this notice and attached pleadings under Section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process. The Secretary of the Commonwealth's ONLY responsibility is to mail, by certified mail, return receipt requested, the enclosed papers to you. If you have any questions concerning these documents, you may wish to seek advice from a lawyer.

SERVICE OF PROCESS IS EFFECTIVE ON THE DATE WHEN SERVICE IS MADE ON THE SECRETARY OF THE COMMONWEALTH.

CERTIFICATE OF COMPLIANCE

I, the undersigned, Clerk in the Office of the Secretary of the Commonwealth, hereby certify the following:

MAY 16 2019

- On MAY 16 2019, legal service in the above-styled case was made upon the Secretary of the Commonwealth, as statutory agent for persons to be served in accordance with Section 8.01-329 of the Code of Virginia, as amended.
- On JUN 26 2019, papers described in the Affidavit and a copy of this Affidavit were forwarded by certified mail, return receipt requested, to the party designated to be served with process in the Affidavit.

OB
 SERVICE OF PROCESS CLERK, DESIGNATED
 BY THE AUTHORITY OF THE SECRETARY OF THE COMMONWEALTH

NON-RESIDENCE GROUNDS REQUIREMENT:

If box number 1 is checked, insert the appropriate subsection number:

A court may exercise personal jurisdiction over a person, who acts directly or by an agent, as to a cause of action arising from the person's:

1. Transacting any business in this Commonwealth;
2. Contracting to supply services or things in this Commonwealth;
3. Causing tortious injury by an act or omission in this Commonwealth;
4. Causing tortious injury in this Commonwealth by an act or omission outside this Commonwealth if he regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this Commonwealth;
5. Causing injury in this Commonwealth to any person by breach of warranty expressly or impliedly made in the sale of goods outside this Commonwealth when he might reasonably have expected such person to use, consume, or be affected by the goods in this Commonwealth, provided that he also regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this Commonwealth;
6. Having an interest in, using, or possessing real property in this Commonwealth;
7. Contracting to insure any person, property, or risk located within this Commonwealth at the time of contracting;
- 8(ii). Having been ordered to pay spousal support or child support pursuant to an order entered by any court of competent jurisdiction in this Commonwealth having *in personam* jurisdiction over such person; or
10. Having incurred a liability for taxes, fines, penalties, interest, or other charges to any political subdivision of the Commonwealth.

DUE DILIGENCE REQUIREMENT:

If box number 2 is checked, the following provision applies:

When the person to be served is a resident, the signature of an attorney, party or agent of the person seeking service on such affidavit shall constitute a certificate by him that process has been delivered to the sheriff or to a disinterested person as permitted by § 8.01-293 for execution and, if the sheriff or disinterested person was unable to execute such service, that the person seeking service has been unable, after exercising due diligence, to locate the person to be served.

COMMONWEALTH OF VIRGINIA
CIRCUIT COURT OF FAIRFAX COUNTY
4110 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030
703-691-7320
(Press 3, Press 1)

Olga M Toledo vs. Isaac Caldwell Jr et al.

CL-2019-0006573

**TO: VIP Transport East Inc
2703 Wardlow Road
Corona CA 92882**

SUMMONS – CIVIL ACTION

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the Clerk's office of this Court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment or decree against such party either by default or after hearing evidence.

APPEARANCE IN PERSON IS NOT REQUIRED BY THIS SUMMONS.

Done in the name of the Commonwealth of Virginia, on May 10, 2019.

JOHN T. FREY, CLERK

By: 
Deputy Clerk

Plaintiff's Attorney: Joseph T. Trapeni Jr.

VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

FILED
CIVIL INTAKE
2019 MAY -9 PM 12:11
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

OLGA M. TOLEDO,

Plaintiff,

v.

Case No.: **2019 06573**

**ISAAC CALDWELL, JR.,
1328 Dartmouth Avenue
Baltimore, MD 21234
SERVE: VA Commissioner of DMV**

AND

**VIP TRANSPORT EAST, INC.
2703 Wardlow Road
Corona, CA 92882
SERVE: Secretary of the Commonwealth**

Defendants.

COMPLAINT

COMES NOW the plaintiff, Olga M. Toledo, by counsel, and files this Complaint against the defendants, Isaac Caldwell, Jr. and VIP Transport East, Inc., jointly and severally, on the grounds and in the amount as hereinafter set forth:

1. On or about July 17, 2017, at around 11:00 a.m., the plaintiff was operating a motor vehicle on eastbound Georgetown Pike, in Fairfax County, Virginia.
2. Defendant, Isaac Caldwell, Jr., was operating a tractor trailer freight vehicle owned by his employer VIP Transport East, Inc. which was pulling a trailer on westbound Georgetown Pike in Fairfax County, Virginia when his trailer crossed the center line, entered plaintiff's lane of travel and collided with and dragged plaintiff's vehicle, forcing it into another eastbound vehicle.

3. At all times relevant hereto, defendant Isaac Caldwell, Jr., was acting within the scope

and in the course of his employment or agency with defendant VIP Transport East, Inc.

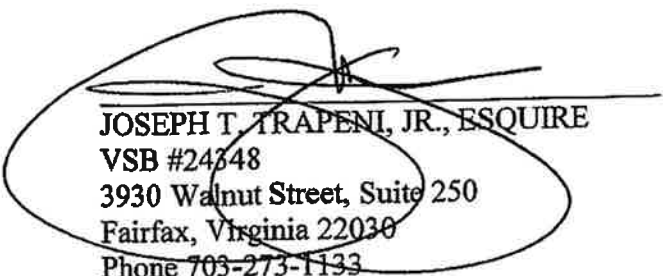
4. At that time and place it was the duty of defendant, Isaac Caldwell, Jr., to keep his vehicle under proper control, to remain in his lane of travel, to pay full time and attention to the operation of his vehicle, to keep a proper lookout, and to otherwise operate his vehicle with reasonable care and with due regard for others using the road.

4. Notwithstanding said duties and in breach thereof, defendant, Isaac Caldwell, Jr., did then and there so carelessly, recklessly and negligently operate his vehicle that he crossed the center line of the roadway, entered plaintiff's lane of travel and collided with plaintiff's vehicle. Defendant, Isaac Caldwell, Jr., was negligent in that he failed to keep his vehicle under proper control, failed to keep his vehicle within his lane of travel, failed to pay full time and attention to the operation of his vehicle, failed to keep a proper lookout, and failed to otherwise operate his vehicle with reasonable care and with due regard for others using the road.

5. As a direct and proximate result thereof, plaintiff was caused to sustain serious and permanent injuries, has been and will be prevented from transacting her business, has suffered and will continue to suffer wage loss, will suffer impairment of her earning capacity, has suffered and will continue to suffer physical pain and mental anguish, has sustained permanent injury and has incurred and will incur in the future hospital, doctors' and related bills in an effort to be cured of said injuries.

WHEREFORE, plaintiff demands judgment against the defendants, Isaac Caldwell, Jr. and VIP Transport East, Inc., jointly and severally, in the amount of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) plus interest from July 17, 2017 and costs in this behalf expended.

OLGA M. TOLEDO
By Counsel



JOSEPH T. TRAPENI, JR., ESQUIRE

VS# #24348

3930 Walnut Street, Suite 250

Fairfax, Virginia 22030

Phone 703-273-1133

Facsimile 703-273-0178

josephtrapeni@gmail.com